

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

ISRAEL MALDONADO RAMIREZ,
Plaintiff,
v.
MENDOZA, et al.,
Defendants.

Case No. 1:22-cv-00790-EPG (PC)
ORDER DENYING PLAINTIFF'S
APPLICATION TO PROCEED IN FORMA
PAUPERIS, WITHOUT PREJUDICE
(ECF No. 2)
ORDER DIRECTING CLERK TO SEND
PLAINTIFF AN APPLICATION TO
PROCEED IN FORMA PAUPERIS

Israel Ramirez ("Plaintiff") is a prisoner proceeding *pro se* with this civil rights action. Plaintiff filed the complaint commencing this action on June 27, 2022. (ECF No. 1). On that same day, Plaintiff filed an application to proceed *in forma pauperis*. (ECF No. 2).

Portions of Plaintiff's application are illegible, but Plaintiff appears to state that he was awarded \$50,000,000. Plaintiff states that he can pay the full amount of the filing fee if the Court sends a check or money order for the \$10,000 Plaintiff wants from the account. Plaintiff further states that he cannot use the balance of his checking or savings account because of his incarceration.

Given Plaintiff's allegations that he can afford to pay the filing fee and that he has

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substantial funds in a checking or savings account,¹ Plaintiff's application, as written, is insufficient for the Court to determine that he is entitled to proceed without prepayment of fees in this action. See 28 U.S.C. § 1915(a). The application will accordingly be denied without prejudice. The Court will give Plaintiff an opportunity to provide additional information, including information related to his attempts to access the funds in his account, or to pay the filing fee in full.

Accordingly, IT IS ORDERED that:

1. Plaintiff's application to proceed *in forma pauperis* is denied without prejudice;
2. Plaintiff has thirty days from the date of service of this order to: 1) Pay the \$402 filing fee in full; 2) File an application to proceed *in forma pauperis* that sufficiently explains why he cannot afford to pay the filing fee despite having substantial funds in a checking or savings account; or 3) Re-file his current application to proceed *in forma pauperis*, in which case the Court will issue findings and recommendations to a district judge recommending that it be denied;² and
3. The Clerk of Court is directed to send Plaintiff a blank application to proceed *in forma pauperis*.

IT IS SO ORDERED.

Dated: June 29, 2022

/s/ Eric P. Grogan
UNITED STATES MAGISTRATE JUDGE

¹ The Court notes that it will not contact Plaintiff's financial institution on his behalf in order to arrange for payment of the filing fee.

² Plaintiff does not need to submit a new Trust Account Statement.